

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

DAVID DAVIS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 3:06-cv-00544-VPM
	)	
PHENIX CITY, ALABAMA, <u>et al.</u>	)	Judge Vanzetta Penn McPherson
	)	
	)	
Defendants.	)	
_____	)	

ATTACHMENT F

# Memorandum

To: Chief Hunter

From: Assistant Chief Johansen

Date: 7/28/2005

Re: Sgt. Davis

On this date Sgt. Davis was counseled concerning an issue that had taken place concerning FF Martin on 22<sup>nd</sup> August 2005. FF Martin contends that Sgt. Davis told him to do 25 pushups for forgetting his duty uniform shirt. Sgt. Davis contends that he asked FF Martin if he had his duty uniform shirt, since the crew was scheduled to perform pre-fire surveys. FF Martin stated that he did not have it. Sgt. Davis then stated "you owe me 25." Sgt. Davis stated that FF Martin was never ordered to do pushups and never did any pushups. Sgt. Davis was advised that if a employee shows up for duty without proper uniforms or anything else that violates departmental SOP's or merit system regulations, that the employee will be dealt with in accordance to the city's merit system. Sgt. Davis stated that he was regretful that something that people done voluntarily in good nature was misinterpreted in a negative way. Sgt. Davis stated that it was something they did in good spirit and they would say "I guess, I will get smart or get strong" if I keep forgetting to do something. Sgt. Davis stated that he understood and that personnel would be dealt with according to the merit system.

